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6/21/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: George S. PABIS et al.

Group Art Unit: 3641

Serial No.: 10/733,213

Examiner: TBA

Filed: December 11, 2003

Atty Dkt No.: 12093/929

For: FUEL ASSEMBLY TOP NOZZLE REPAIR SLEEVE AND METHOD FOR
REPAIRING A FUEL ASSEMBLY

Attn: Licensing And Review
Assistant Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
JUN 16 2004
LICENSING & REVIEW

Declaration Under § 152 of the Atomic Energy Act

Sir:

We, George S. PABIS, a citizen of the United States, residing at 2109 Mimosa Drive,
Lynchburg, Virginia 24503, United States of America;

Darel R. CLARK, a citizen of the United States, residing at 101 Hunterdale Drive, Lynchburg,
Virginia 24502, United States of America;

Anthony A. PUGH, a citizen of the United States, residing at 107 Carriage Hill Drive, Forest,
Virginia 24551, United States of America;

Raymond A. KING, a citizen of the United States, residing at 2525 Link Road, Lynchburg,
Virginia 24503, United States of America;
declare:

That we made and conceived the invention described and claimed in the patent
application Serial No. 10/733,213 filed in the United States of America on December 11,
2003, titled FUEL ASSEMBLY TOP NOZZLE REPAIR SLEEVE AND METHOD FOR
REPAIRING A FUEL ASSEMBLY

That we made and conceived this invention while employed by Framatome ANP, Inc.

That the invention is related to the work I am employed to perform and was made within the
scope of my employment duties.

That the invention was made during working hours and with the use of facilities, equipment,
materials, funds, information and services of Framatome ANP, Inc.

The invention was not made or conceived in the course of, or in connection with, or under the
terms of any contract, subcontract or arrangement entered into with or for the benefit of the United
States Atomic Energy Commission or its successors: Energy Research and Development
Administration or the Department of Energy.

We further declare that all statements made herein of my own knowledge are true and that all
statements made on information and belief are believed to be true and further that these statements are
made with the knowledge that willful false statements and the like so made are punishable by fine or
imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful
false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor's Signature:


George S. PABIS

Date: 6/1/04

Post Office Address:

2109 Mimosa Drive, Lynchburg, Virginia 24503

Inventor's Signature:


Darel R. CLARK

Date: 6-7-04

Post Office Address:

101 Hunterdale Drive, Lynchburg, Virginia 24502

Inventor's Signature:


Anthony A. PUGH

Date: 6/1/04

Post Office Address:

107 Carriage Hill Drive, Forest, Virginia 24551

Inventor's Signature:


Raymond A. KING

Date: 6/1/04

Post Office Address:

2525 Link Road, Lynchburg, Virginia 24503



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/733,213	12/11/03	PABIS, ET AL.	12093/929

KENYON & KENYON
ONE BROADWAY
NEW YORK, NY 10004

EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

MAY - 6 2004

LICENSING & REVIEW

**IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A
FORMAL REQUIREMENT WILL BE ISSUED**

The subject matter of this application appears to:

☒ be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).

☐ "have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. The responsibility for complying with the statutes rests with the applicants.

Any questions regarding this requirement should be directed to Licensing and Review at (703) 306-4194.

1005305-0241

**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE
ATTENTION OF LICENSING AND REVIEW**

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER

Docket Number:
12093/929

Application No.
10/733,213

Filing Date
December 11, 2003

Examiner
Not Yet Known

Art Unit
3641

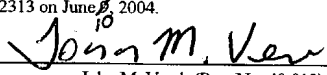
Invention Title
FUEL ASSEMBLY TOP NOZZLE REPAIR SLEEVE
AND METHOD FOR REPAIRING A FUEL
ASSEMBLY

Inventor(s)
George S. PABIS et al.

Address to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Licensing and Review

I hereby certify that this correspondence is being deposited with the United States
Postal Service as first class mail in an envelope addressed to: Commissioner for Patents,
Alexandria, VA 22313 on June 8, 2004.


John M. Vereb (Reg. No. 48,912)

Sir:

In response to the Notice dated May 6, 2004, please find the following documents to be filed in
connection with the above-referenced application:

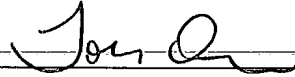
1. Copy of the Notice dated May 6, 2004;
2. Declaration Under § 152 of the Atomic Energy Act;
3. The Commissioner is hereby authorized to charge payment of the following fees associated
with this communication or credit any overpayment to the deposit account of **Kenyon &
Kenyon**, deposit account number **11-0600**:
 - A. Any additional filing fees required under 37 C.F.R. § 1.16;
 - B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
 - C. Any additional patent issue fees under 37 C.F.R. § 1.18;
 - D. Any additional document supply fees under 37 C.F.R. § 1.19;
 - E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
 - F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.

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3. A duplicate copy of this sheet is enclosed.

Dated: June ¹⁰~~9~~, 2004

By:



John M. Vereb (Reg. No. 48,912)

KENYON & KENYON

One Broadway

New York, N.Y. 10004

(212) 425-7200 (telephone)

(212) 425-5288 (facsimile)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER

Docket Number:
12093/929

Application No.
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Filing Date
December 11, 2003

Examiner
Not Yet Known

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3641

Invention Title
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AND METHOD FOR REPAIRING A FUEL
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Attn: Licensing and Review

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Alexandria, VA 22313 on June 16, 2004.

John M. Vereb
John M. Vereb (Reg. No. 48,912)

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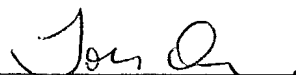
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 - F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.

3. A duplicate copy of this sheet is enclosed.

Dated: June ¹⁰/₉, 2004

By: 
John M. Vereb (Reg. No. 48,912)

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